

23. (Amended) A receiver, comprising:

a device receiving respective selection data transmitted by each one of a plurality of transmitters, each respective selection data indicating a respective transmission region of the respective one of the transmitters,

wherein the device selects digitally coded messages which are emitted by the transmitters as a function of the selection data, the digitally coded messages including location data, and

wherein the device compares the selection data to the location data.

### REMARKS

#### **I. INTRODUCTION**

Claims 13-24 remain pending in the above-referenced application. Claims 13-15, 18, 19, 22 and 23 have been amended to clarify the subject matter recited therein. No new matter has been added. Reconsideration of the present application is requested.

#### **II. IDS**

The Examiner has indicated that a number of references listed on Applicants' Form-1449 have not be considered because Applicants have not provided copies thereof. Respectfully, each of these references have already been provided to the U.S.P.T.O by WIPO. See, e.g., Notification of Acceptance of Application Under 35 U.S.C. 371 And 37 CFR 1.494 Or 1.495 (indicating that a copy of the International Search Report and copies of the references cited therein have been received). However, for the Examiner's convenience, additional copies of the references are provided herewith, along with an additional Form-1449 listing these references. An additional copy of the translation of the International Search Report is also provided herewith. The Examiner is respectfully requested to initial the Form-1449 and send Applicants' a copy thereof with the next communication.

#### **III. REJECTION OF CLAIMS 12-24 UNDER 35 U.S.C. § 102(a)**

Claims 13-24 stand rejected under 35 U.S.C. § 102(a) as being unpatentable over U.S. Patent No. 5,748,107 to Kersken et al. (the "Kersken patent"). It is respectfully submitted that the Kersken patent does not anticipate the aforementioned claims for at least the following reasons.

According to claim 13, each transmitter of digitally coded messages also transmits *selection data*, which *indicates the respective transmission region of the transmitter*. A receiver compares location data in the digitally coded messages to received location data for selecting digitally coded messages. Claims 14-22 depend from claim 13.

As regards the recited selection data, the Examiner apparently relies on information obtained by the vehicle in determining its own location. The Kersken patent describes that the car radio 11 is connected to a locating system 24 within the car to determine the current vehicle location. The locating system uses wheel sensors, a compass or a GPS to determine the current vehicle location. The information obtained therewith does not indicate a respective transmission region of a transmitter, as recited by claim 13. The information is merely the current vehicle location. Moreover, claim 13 further recites that location data (which is included in the digitally coded messages (e.g., traffic messages)) is compared to this selection data (i.e., data which indicates a respective transmission region of the transmitters of the digitally coded messages) in selecting messages. The Kersken patent does not describe or even suggest these features.

Claim 23 recites a device which receives respective selection data which indicates the respective transmission region of the transmitters of the digitally coded messages, and selects messages as a function of the selection data. Claim 24 depends from claim 23. As discussed above, the Kersken patent does not describe or suggest these features.

In view of the foregoing, it is respectfully submitted that the Kersken patent does not anticipate claims 13-24. Withdrawal of the rejection of claims 13-24 under 35 U.S.C. § 102(a) is, therefore, requested.

Claims 13-24 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 5,603,108 to Thoone ( the "Thoone patent"). It is respectfully submitted that the Thoone patent does not anticipate the aforementioned claims for at least the following reasons.

It is not clear from the Office Action as to what elements of the Thoone patent correspond to the features recited in Applicants' claims. It is respectfully requested that the Examiner provide an indication in the next communication so that the Applicants' may more specifically address the Examiner's rejection.

In any event, as regards claims 13-22, it is respectfully submitted that Thoone patent does not disclose or even suggest the features of claim 13, i.e., each transmitter of digitally coded messages also transmitting *selection data*, which *indicates the respective*

*transmission region of the transmitter;* and a receiver comparing location data in the digitally coded messages to received location data for selecting digitally coded messages. For instance. In the Thoone patent, the radio receiver determines where the car is based on the signal strength of various stations. However, the Thoone patent does not describe that these stations transmit selection data which indicates the respective transmission region of the transmitter, as recited in claim 13. Nor is there any description of the receiver comparing selection data to location data in digitally coded messages for selecting messages. It appears that in the Thoone patent, the receiver tunes into a station based on the signal strength. There does not appear to be any selecting based on selection data (from, e.g., the stations) and location data (in the messages).

Claim 23 recites a device which receives respective selection data which indicates the respective transmission region of the transmitters of the digitally coded messages, and selects messages as a function of the selection data. Claim 24 depends from claim 23. As discussed above, the Thoone patent does not describe or suggest these features.

In view of the foregoing, it is respectfully submitted that the Thoone patent does not anticipate claims 13-24. Withdrawal of the rejection of claims 13-24 under 35 U.S.C. § 102(e) is, therefore, requested.

#### IV. CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance. Reconsideration and allowance of the claims are requested.

Respectfully submitted,

KENYON & KENYON

By: 

Richard L. Mayer  
Reg. No. 22,490

One Broadway  
New York, NY 10004  
(212) 425-7200

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**AMENDMENT VERSION WITH MARKINGS SHOWING CHANGES MADE**

**IN THE CLAIMS:**

Please amend the claims as follows:

13. (Amended) A method for geographically selecting digitally coded messages which are emitted from a plurality of transmitters, the digitally coded messages including location data, the method comprising the steps of:

transmitting, via each respective one of the transmitters, selection data indicative of a respective transmission region of [at least] the respective one of the transmitters; and

comparing, in [receivers] a receiver, the location data to the selection data for selecting the digitally coded messages[, the selection data being dependent on a respective position of at least one of the receivers].

14. (Amended) The method according to claim 13, wherein the selection data includes location codes of particular areas, the particular areas being defined for coding and decoding of the digitally coded messages and being positioned at least partially in the respective transmission region of the [at least] respective one of the transmitters.

15. (Amended) The method according to claim 13, wherein the selection data includes coordinates and a radius of the respective transmission region of the [at least] respective one of the transmitters.

18. (Amended) The method according to claim 17, further comprising the step of:

transmitting further data in a particular data block of the data stream, the further data including:

an identifier which indicates that the selection data is being transmitted,

a particular number of a location list for decoding the digitally coded messages in the [at least one of the receivers] receiver, and

particular data relating to a type of the selection data.

19. (Amended) The method according to claim 18, wherein the selection data includes coordinates and a radius of the respective transmission region of the [at least] respective one of the transmitters, and further comprising the step of:

transmitting the particular data in the particular data block using a predetermined bit, the predetermined bit indicating whether the selection data includes one of:

the location codes of the particular areas, and

the coordinates and the radius.

22. (Amended) The method according to claim 18,

wherein the selection data includes coordinates and a radius of the respective transmission region of the [at least] respective one of the transmitters, and

wherein [at least one] the respective one of the transmitters transmits the radius in the particular data block, and transmits the coordinates in a further data block.

23. (Amended) A receiver, comprising:

a device receiving respective selection data transmitted by each one of a plurality of transmitters, [the] each respective selection data indicating a respective transmission region of [at least] the respective one of the transmitters,

wherein the device selects digitally coded messages which are emitted by the transmitters as a function of the selection data [which depend from a respective position of the receiver], the digitally coded messages including location data, and

wherein the device compares the selection data to the location data.